


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:22-HC-2086-FL

| | | |
|--------------------------|---|-------|
| KENNETH POWELL, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| STATE OF NORTH CAROLINA, |) | |
| |) | |
| Respondent. |) | |

Petitioner, a state inmate proceeding pro se, petitions this court for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter is before the court on petitioner's failure to respond to the court's May 16, 2022, order of deficiency. The order explained to petitioner that he 1) failed to file the petition on the forms prescribed by this court, and 2) failed to either file an application to proceed without prepayment of fees or pay the \$5.00 filing fee in this action. The court further warned petitioner that failure to correct the deficiencies within 21 days of entry of the order may result in dismissal of this action without prejudice. To date, petitioner has not complied with the court's order. Accordingly, this action is DISMISSED without prejudice for failure to prosecute and failure to respond to a court order. See Fed. R. Civ. P. 41(b).

SO ORDERED, this the 6th day of December, 2022.



LOUISE W. FLANAGAN
United States District Judge